

FILED

CONSENT ORDER

1. On July 1, 2009, the Department of Insurance for the State of Nebraska, (“Department”) initiated an administrative proceeding by filing a Petition and Notice of Hearing styled State of Nebraska Department of Insurance vs. AXA Assistance USA, Inc., Cause No. C-1775. A copy of the Petition and Notice of Hearing was served by certified

mail, return receipt requested, upon AXA Assistance USA, Inc. ("Respondent"), at 122 S. Michigan Avenue, Suite 1100, Chicago, IL 60603. In order to resolve the allegations contained in the Petition and Notice of Hearing, the Department, by and through its counsel of record, Joel F. Green, and Respondent, by and through its representative, Steven Paraboschi, General Manager/Chief Operating Officer, mutually stipulate and agree as follows:

2. As a result of Respondent's failure to file a Nebraska 2008 annual third-party administrator report on or before March 1, 2009, the Department filed a Petition and Notice of Hearing alleging Respondent violated NEB. REV. STAT. §44-5814(1) and §44-5814(3).

3. In the spirit of cooperation and in order to avoid further expense, loss of time and disruption of Respondent's operations in the state, Respondent enters into this Consent Order freely and voluntarily. Respondent was informed of its right to a public hearing. Respondent waives its right to a hearing and acknowledges that by doing so, Respondent also waives its right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent admits to the allegations set forth in the Petition and Notice of Hearing as referenced in Paragraph 2 of this section, and Respondent is willing to amicably resolve all pending matters in order to avoid the uncertainty and expense of litigation.

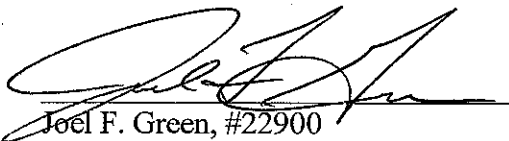
CONCLUSIONS OF LAW

1. Respondent's conduct as alleged constitutes a violation of NEB. REV. STAT. §44-5814(1) and §44-5814(3).

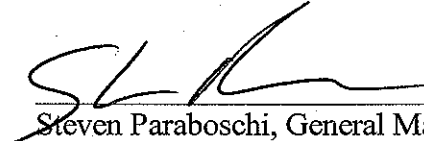
CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondent, AXA Assistance USA, Inc., that Respondent shall pay an administrative fine in the amount of one thousand dollars (\$1,000.00) due within 30 days after the Director of Insurance or her designee approves and signs this consent order. Respondent also agrees to pay a forfeiture fee of six thousand five hundred dollars (\$6,500.00), representing the total and proper amount of forfeiture fee owed by Respondent pursuant to NEB. REV. STAT. §44-5814(4)(b)(i).

All payments hereunder shall be made on or before thirty (30) days from the date the Director adopts this Consent Order as a final Order in this matter. Furthermore, if Respondent fails to pay the aforementioned administrative fine and/or forfeiture fee when due, or fails to comply with other terms of the Consent Order, the Department shall retain jurisdiction to make application for any such further orders as may be necessary.



Joel F. Green, #22900
Attorney for Petitioner
941 O Street, Suite 400
Lincoln, NE 68508
(402) 471-2201



Steven Paraboschi, General Manager and COO
AXA Assistance USA, Inc.
122 S. Michigan Avenue, Suite 1100
Chicago, IL 60603
(312) 935-3500

FOR PETITIONER

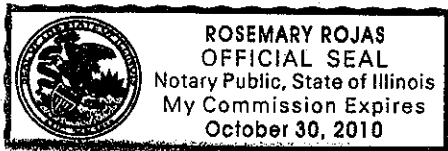
FOR RESPONDENT

Date 8/5/09

Date 8/4/09

State of Illinois)
County of Cook) ss.

On this 4 day of August, 2009, Steven Paraboschi, an authorized representative of Respondent, personally appeared before me on behalf of Respondent and read this Consent Order, executed the same and acknowledged the same to be her voluntary act and deed.



Rosemary Rojas
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of the State of Nebraska Department of Insurance vs. AXA Assistance USA, Inc., Cause No. C-1775.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Ann M Frohman
ANN M. FROHMAN
Director of Insurance

8/11/09

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to at 122 S. Michigan Avenue, Suite 1100, Chicago, IL 60603, by certified mail, return receipt requested, on this 11th day of August, 2009.

Tracy A. Linder